

UNITED STATES DISTRICT COURT  
FOR THE DISTRICT OF RHODE ISLAND

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MICHAEL ALAN CROOKER,  
Petitioner,

v.

BRIAN K. MURPHY, WARDEN, et al.,  
Respondents.

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C. A. No. 11-16M

**ORDER**

This matter is before the Court on Petitioner Michael Alan Crooker's Objection to the Report and Recommendation ("R&R") of United States Magistrate Judge David L. Martin filed on May 20, 2011 in the above-captioned matter.<sup>1</sup>

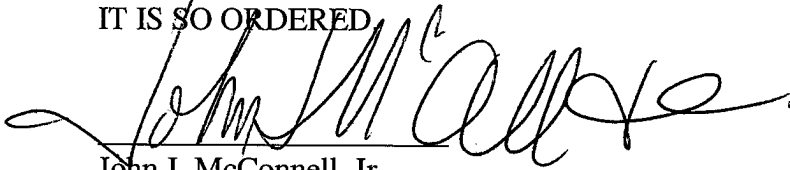
In passing on objections to an R&R, the Court conducts a *de novo* review of the parts of the R&R to which there have been objections and "may accept, reject, or modify, in whole or in part, the findings or recommendations made by the magistrate judge." 28 U.S.C. § 636(b)(1); *see* Fed. R. Civ. P. 72(b)(3). In his Objection, Crooker disputes the R&R's statement that the relief he seeks will interfere with his Bureau of Prisons placement, indicates that he has filed a malpractice action against optometrist Dr. Klibanoff and seeks appointment of counsel. While this Court questions what appear to be persistent delays in Crooker's receipt of medical treatment, it nevertheless accepts the R&R. Crooker's changing prison assignments, however, should neither continually delay nor prevent his timely receipt of necessary medical care.

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<sup>1</sup> On its first page, the R&R inadvertently refers to the individual seeking an order as Murphy; it was petitioner Crooker who sought an order.

Crooker's Motion For An Injunction Requiring His Continued Detention At The Wyatt  
Detention Facility And Prohibiting His Transfer To The Federal Bureau Of Prisons Pending  
Surgeries is DENIED.

IT IS SO ORDERED.

A handwritten signature in black ink, appearing to read 'John J. McConnell, Jr.', written over a horizontal line.

John J. McConnell, Jr.  
United States District Judge  
Date: June 15, 2011